

3  
1 Katherine Christensen  
2 Real Party in Interest Under Injury  
3 c/o 1134 West Grand Caymen Drive  
4 Gilbert, Arizona 85233  
5 (480) 813-3885  
6 PRO SE  
7

FILED  
2009 DEC 15 PM 2:39  
CLERK  
U.S. BANKRUPTCY  
DISTRICT OF ARIZONA

8 **UNITED STATES BANKRUPTCY COURT**

9  
10 **DISTRICT OF ARIZONA**

11  
12 **PHOENIX DIVISION**

13  
14  
15 In re: ) **CASE NO. 09-21818-RTB**  
16 ) **ADVERSARY 09-ap-01359-RTB**  
17 Katherine Christensen )  
18 Plaintiff, Real Party in Interest ) **CHAPTER 7**  
19 V. )  
20 BANK OF AMERICA ) **MOTION FOR DEFAULT AND**  
21 its successors and/or assigns ) **DEFAULT JUDGMENT**  
22 Defendant )  
23 ) **Assigned to Hon. Redfield T. Baum**  
24

25  
26 Plaintiff Katherine Christensen, respectfully submits this MOTION FOR  
27  
28 **DEFAULT AND DEFAULT JUDGMENT** against BANK OF AMERICA  
29  
30 Defendant as authorized by Federal Rule of Civil Procedure 55.  
31

32  
33 **STATEMENT OF FACTS**  
34

35  
36 1. Defendant has never responded to any of the lawful and required Qualified  
37  
38 Written Requests for Debt Validation authorized by Title 12 and Title 15.  
39

40 2. On November 4, 2009 at 4:15pm Plaintiff served Defendants a Motion for  
41

1 Commencement of Adversarial Proceeding with Summons in an Adversarial  
2  
3 Proceeding by USPS Certified Mail # 7009 0080 0002 0454 2142. USPS Track  
4  
5 and Confirm shows that it was received by Defendant on November 8, 2009 at  
6  
7 10:32 am.

8  
9 3. Pursuant to Federal Rules of Bankruptcy Defendant had 30 days from the  
10  
11 date of issuance of the summons to respond.

12  
13 4. Defendant has not responded as per the date of this Motion, which is well  
14  
15 beyond the 30 days allowed and therefore defaulted.

### 16 17 18 **CONCLUSION**

19  
20 1. Defendant did not file an answer within 30 days from the date of the  
21  
22 issuance of the summons.

23  
24 2. Real Party in Interest meets the procedural requirements for obtaining both  
25  
26 an entry of default and default judgment.

27  
28 3. Because Defendant did not file a responsive pleading or otherwise defend  
29  
30 the suit, defendants admit they have no true and valid records to prove they had  
31  
32 standing to bring this action.

33  
34 **Wherefore Real Party in interest prays for judgment as follows:**

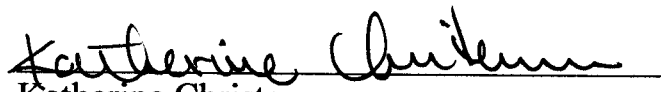
35  
36 1. That the Court enter a default judgment in favor of Plaintiff.

37  
38 2. As time is of the essence, that the Court order Defendant to immediately  
39  
40 restore ownership and return clear title of subject Property back to Plaintiff free

1  
2 and clear.

3  
4 3. That the Court grant relief to the Plaintiff for all violations by Defendant  
5  
6 its successors and assignees as provided by law; all costs, applicable interest, and  
7  
8 other relief as this court deems just and necessary.  
9

10  
11 DATED: December 15, 2009

12  
13   
14 Katherine Christensen  
15 Plaintiff, Real Party in Interest